

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 879 of 1992

For Approval and Signature:

Hon'ble MR.JUSTICE S.K.KESHOTE

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO
2. To be referred to the Reporter or not? : NO
3. Whether Their Lordships wish to see the fair copy of the judgement? : NO
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO
5. Whether it is to be circulated to the Civil Judge? : NO

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THAKKAR YOGESHKUMAR LABHSHANKAR

Versus

HALVAD NAGAR PANCHAYAT

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Appearance:

MR NK MAJMUDAR for Petitioners

MR UTPAL PANCHAL for Respondent

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CORAM : MR.JUSTICE S.K.KESHOTE

Date of decision: 21/09/1999

ORAL JUDGEMENT

#. Having heard the learned counsel for the parties and going through the contents of paragraph-4 of the reply to the special civil application, which have not been controverted by petitioners by filing rejoinder, this matter is squarely covered by the decision given today in Special Civil Application No.136 of 1992. It is a clear case where the petitioners have made an attempt to abuse

the process of this Court as well as to play fraud with the provisions of the Constitution of India as contained in Articles 14, 16 and 21 thereof.

#. In the result, this special civil application fails and the same is dismissed. Rule discharged. Interim relief, if any, granted by this Court stands vacated. Each of the petitioner is directed to pay Rs.2,000/= as costs of this writ petition. The petitioners are directed to deposit this amount of Rs.2,000/= each in the National Defence Fund in any of the designated branch of the State Bank of India and to produce receipts of deposit of the same on the record of this special civil application. This amount has to be deposited within a period of one month from today. A copy of this order be sent to the petitioners forthwith.

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[sunil]